

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BENSLEY CONSTRUCTION, INC,
on its own behalf and on behalf
of all others similarly situated,

Plaintiff,

v.

Civil Action No. 05-11249-GAO

MARSH & MCLENNAN COMPANIES, INC.,
MARSH, INC., ACE USA, ACE INA,
AMERICAN INTERNATIONAL GROUP,
AMERICAN REINSURANCE COMPANY,
ARTHUR J. GALLAGHER & CO., HILB ROGAL
& HOBBS COMPANY, WILLIS GROUP
HOLDINGS, LTD., WILLIS NORTH AMERICA,
INC., WILLIS GROUP LTD., UNIVERSAL LIFE
RESOURCES, INC. (d/b/a ULR INSURANCE
SERVICES, INC.), THE CHUBB
CORPORATION, USI HOLDINGS, INC.,
METLIFE, INC. PRUDENTIAL FINANCIAL,
INC., UNUMPROVIDENT CORPORATION,
THE ST. PAUL TRAVELERS COMPANIES,
INC., ZURICH AMERICAN INSURANCE
COMPANY, LIBERTY MUTUAL GROUP, INC.,
LIBERTY MUTUAL INSURANCE COMPANY,
LIBERTY MUTUAL FIRE INSURANCE
COMPANY, EMPLOYERS INSURANCE
COMPANY OF WAUSAU and ST. JAMES
INSURANCE COMPANY LTD.,

Defendants.

MOTION FOR LEAVE TO WITHDRAW OF DAVID B. HOBBIE

The undersigned counsel, David B. Hobbie, hereby moves pursuant to Local Rule 83.5.2(c) for leave to withdraw his appearance as counsel for Defendant Zurich American Insurance Company ("Zurich"). As grounds therefor, counsel states the following:

1. I am no longer associated with Eckert Seamans Cherin & Mellott. My attempt to withdraw from representation of Defendant Zurich is preceded by the notice of appearance of Bruce W. Edmands, Esq. of that firm, who will continue to represent that Defendant's interests.

2. Leave to withdraw is required because there are numerous motions pending before this Court, as specified in the Court's October 26th Order and as filed with the Court since that date.

3. No trial date has been set in this matter.

4. I have consulted with Plaintiff's counsel Kenneth Gilman on this matter and on behalf of the Plaintiffs he assented to this Motion For Leave to Withdraw.

5. Because of Mr. Edmands' continued representation of Zurich, no prejudice to my client will result from my withdrawal.

WHEREFORE, David B. Hobbie respectfully requests leave to withdraw from this action as counsel for Zurich American Insurance Company.

/s David B. Hobbie
David B. Hobbie (BBO # 637107)
Eckert, Seamans Cherin & Mellott LLC
One International Place
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December 22, 2005

Rule 7.1 Certification

I, David B. Hobbie, certify that I have conferred with plaintiff's counsel Kenneth Gilman by telephone on December 20, 2005, and obtained his assent to the within Motion.

/s David B. Hobbie

CERTIFICATE OF SERVICE

I, David B. Hobbie, hereby certify that on the 22nd day of December, 2005, I caused a true and correct copy of the Motion For Leave To Withdraw Of David B. Hobbie to be served electronically or by first class mail upon all counsel of record as indicated by the following service list:

/s/ David B. Hobbie

David B. Hobbie

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